

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

AMERIS BANK, as assignee of the)
Federal Deposit Insurance)
Corporation, receiver of Darby)
Bank & Trust Co.,)

Plaintiff,)

v.)

LEXINGTON INSURANCE CO.,)

Defendant and Third-Party)
Plaintiff,)

v.)

COASTAL BIOFUELS, INC. and MARK)
D. LOFTON,)

Third-Party Defendants.)


CASE NO. CV413-241

FILED
U.S. DISTRICT COURT
SAVANNAH, GA.
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O R D E R

Before the Court is the parties' Stipulation of Dismissal Without Prejudice as to Third-Party Defendant Mark D. Lofton. (Doc. 40.) Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), a plaintiff may dismiss an action by filing "a stipulation of dismissal signed by all parties who have appeared." As requested, Third-Party Plaintiff Lexington Insurance Co.'s claims against Third-Party Defendant Lofton are **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED this 12th day of January 2015.


WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA